HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.35937 OF 1998

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Between:

G.Krishna

……Petitioner

And

The Government of India,
Ministry of Home Affairs,
Represented by its Secretary to Govt. of India,
Freedom Fighters Division, 1st Floor, Lok Nayak Bhavan,
New Delhi – 110 003

……Respondent

:: ORDER ::

Counsel for the Petitioner : None

Counsel for the Respondent : Smt. Raghamma,
Additional Standing
Counsel for the Central
Government

Dated: 08-08-2006

In this petition, the petitioner has prayed for issue of a mandamus to the respondents to sanction pension in his favour under the Swatantrata Sainik Samman Pension Scheme, 1980 (for short 'the Scheme') and pay him arrears.

Although no one has appeared for the petitioner, I do not consider it desirable to defer the adjudication of the petition because the same has remained pending for almost eight years, more so, when the learned Standing Counsel for the Government of India says that the writ petition may be disposed of in terms of order passed today in Writ Petition No.27621 of 1998.

I have gone through the affidavit of the petitioner and the counter affidavit of Sri S.KI. Kohli, Section Officer, Ministry of Home Affiars, Government of India. In my opinion, ends of justice would be met by disposing of the writ petition in the following terms:

1) Within two months from the date of receipt of copy of this order from the Government Pleader, Revenue, the Committee constituted by the State Government vide G.O.Mt.No.1680 dated
02-08-2006 shall undertake verification of the petitioner's claim in the light of the recommendations made by the Hyderabad Special Screening Committee and submit its report to the Secretary to Government, Revenue (FF) Department, Andhra Pradesh.

2) The Secretary, Revenue (FF) Department shall immediately forward the report of the committee to the Central Government.

3) Within two months from the receipt of report of the

committee, the competent authority of the Central Government shall take final decision on the petitioner's claim for payment of pension under the Scheme and also for payment of arrears, if any.

If the petitioner is entitled to receive pension, then payment be made to him within a next one month. The arrears, if any, be released in favour of the petitioner within next three months.

The writ petition is disposed of in the manner indicated above.

G.S. SINGHVI, CJ

08-08-2006

ks/svs

Note: The Court Officer is directed to give attested copies of this order to Standing Counsel for the Central Government and the Government Pleader for Revenue.

B/O

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